

Doc. #3499
ADOPTED
6/1992

RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY
FINAL DESIGNATION OF REDEVELOPER OF DISPOSITION PARCEL RR-4B
IN THE SOUTH END URBAN RENEWAL AREA PROJECT NO. MASS R-56

WHEREAS, the Boston Redevelopment Authority, (hereinafter referred to as the "Authority"), has entered into a contract for loan and capital grant with the Federal Government under Title 1 of the Housing Act of 1949, as amended, which contract provides for financial assistance in the hereinafter identified Project; and

WHEREAS, the Urban Renewal Plan for the South End Urban Renewal Area, Project No. Mass R-56, (hereinafter referred to as the "Project Area"), has been duly reviewed and approved in full compliance with local, State and Federal law; and

WHEREAS, the Authority is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal projects with the Federal financial assistance under said Title 1, including those prohibiting discrimination because of race, color, sex, religion, or national original; and

WHEREAS, the Carleton Land Trust has expressed an interest in and has submitted a satisfactory proposal for the development of Disposition Parcel RR-4B in the South End Urban Renewal Area; and

WHEREAS, the Authority is cognizant of Chapter 30, Sections 61 through 62H of the Massachusetts General Laws, as amended, with respect to minimizing and preventing damage to the environment:

NOW THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT AUTHORITY:

1. That Carleton Land Trust hereby is finally designated as Redeveloper of Parcel RR-4B in the South End Urban Renewal Area.
2. That it is hereby determined that Carleton Land Trust possesses the qualifications and financial resources necessary to acquire and develop land in accordance with the Urban Renewal Plan and the Project Area.
3. That disposal of said parcel by negotiation is the appropriate method of making the land available for redevelopment.
4. That the Final Plans submitted by Carleton Land Trust conform in all respects to the Urban Renewal Plan for the Project Area and that said Final Plans be, and hereby are, approved.

5. That it is hereby found and determined that the proposed development will not result in significant damage to the environment and further, that all practicable feasible means and measures have been taken to avoid or minimize damage to the environment.

6. That the Director is hereby authorized for and in behalf of the Boston Redevelopment Authority, to execute and deliver a Land Disposition Agreement and Deed conveying Parcel RR-4B to Carleton Land Trust, said documents to be in the Boston Redevelopment Authority's usual form.

7. That the developer be, and hereby is, authorized to petition the Board of Appeals for any zoning changes that may be necessary to complete the proposed development.

8. That the Secretary is hereby authorized and directed to publish notice of the proposed disposal transaction in accordance with Section 105(E) of the Housing Act of 1949, as amended, including information with respect to the "Redeveloper's Statement for Public Disclosure: (Federal Form H-6004).



TAKEN UNDER ADVISEMENT

JUNE 4, 1992

MEMORANDUM

JUNE 16, 1992

TO: BOSTON REDEVELOPMENT AUTHORITY AND
THEODORE S. CHANDLER, ACTING DIRECTOR

FROM: THOMAS O'MALLEY, ASSISTANT DIRECTOR FOR
NEIGHBORHOOD HOUSING AND DEVELOPMENT
MARIA FARIA, DEPUTY DIRECTOR

SUBJECT: SOUTH END URBAN RENEWAL AREA, PROJECT NO. MASS. R-56:
FINAL DESIGNATION OF REDEVELOPER OF PARCEL RR-4B,
LOCATED AT 1, 2 AND 3 CARLETON STREET

SUMMARY: This memorandum requests the final designation of Carleton Land Trust as redeveloper of Parcel RR-4B for the purpose of improving the parcel as a residential parking area for abutters.

Parcel RR-4B is located at 1, 2 and 3 Carleton Street and consists of approximately 3,731 square feet of vacant land in the South End Urban Renewal Area, Project No. Mass. R-56.

Upon the completion of the development of the Southwest Corridor park, it was determined that the 3,731 square foot parcel was not needed by the Massachusetts Bay Transportation Authority (MBTA) nor by the Metropolitan District Commission (MDC) for parkland.

Furthermore, a portion of 4 Carleton Street which is currently owned by the MBTA was determined not to be needed as part of the parkland. The MBTA has committed to grant an easement to the designated abutters pursuant to its obligation to grant an easement for parking and maintenance to the abutters designated by the BRA.

On March 12, 1992, the BRA authorized the advertisement of a Request for Proposals (RFP) for the sale of Parcel RR-4B, a 3,731 square foot parcel, as off-street parking for abutter use only. The only proposal received on April 27, 1992, was from the Carleton Land Trust (Trust).

The Trust is requesting final designation as redeveloper of Parcel RR-4B in order to start the improvements to the site as soon as possible. The Trust has met the necessary requirements in order to proceed with designation.

The Trust is fifteen individuals who own condominium units at 217, 219, 221 and 223 West Newton Street and whose properties abut Parcel RR-4B. The proposal submitted by the Trust calls for the improvement of 1, 2 and 3 Carleton Street along with a portion of 4 Carleton Street. The Trust proposes to establish fifteen residential parking spaces, which would each be assigned to a unit. Ownership of the spaces would run in tandem with the ownership of their respective units and spaces could be sold only to other unit owners in the same building or the buyer of the related unit. The area will be attractively landscaped which will greatly enhance the appearance of the land as well as alleviate parking problems in the community. The improvements to the site have been estimated at \$23,742.79.

The residential parking plan was prepared by Patricia Loheed. Patricia Loheed is principal and sole owner of Pat Loheed/Landscape Architect, a woman owned landscape architect business. The residential parking area will be managed by Clark Management, Inc. of Huntington Avenue, Boston. Clark Management, Inc. has worked with the Trust over the years and has a proven history of quality management services.

The developer will pay the \$10.00 per square foot determined by the BRA Land Disposition Officer, the disposition price reflects the restriction placed on Parcel RR-4B and its lack of utility and accessibility. This parcel is not considered developable as it is accessible only from the alley that runs behind West Newton Street.

It is, therefore, recommended that the BRA grant final designation to the Carleton Land Trust as redeveloper of Parcel RR-4B located at 1, 2, and 3 Carleton Street, containing 3,731 square feet of vacant land, for the purpose of off-street parking for abutters.

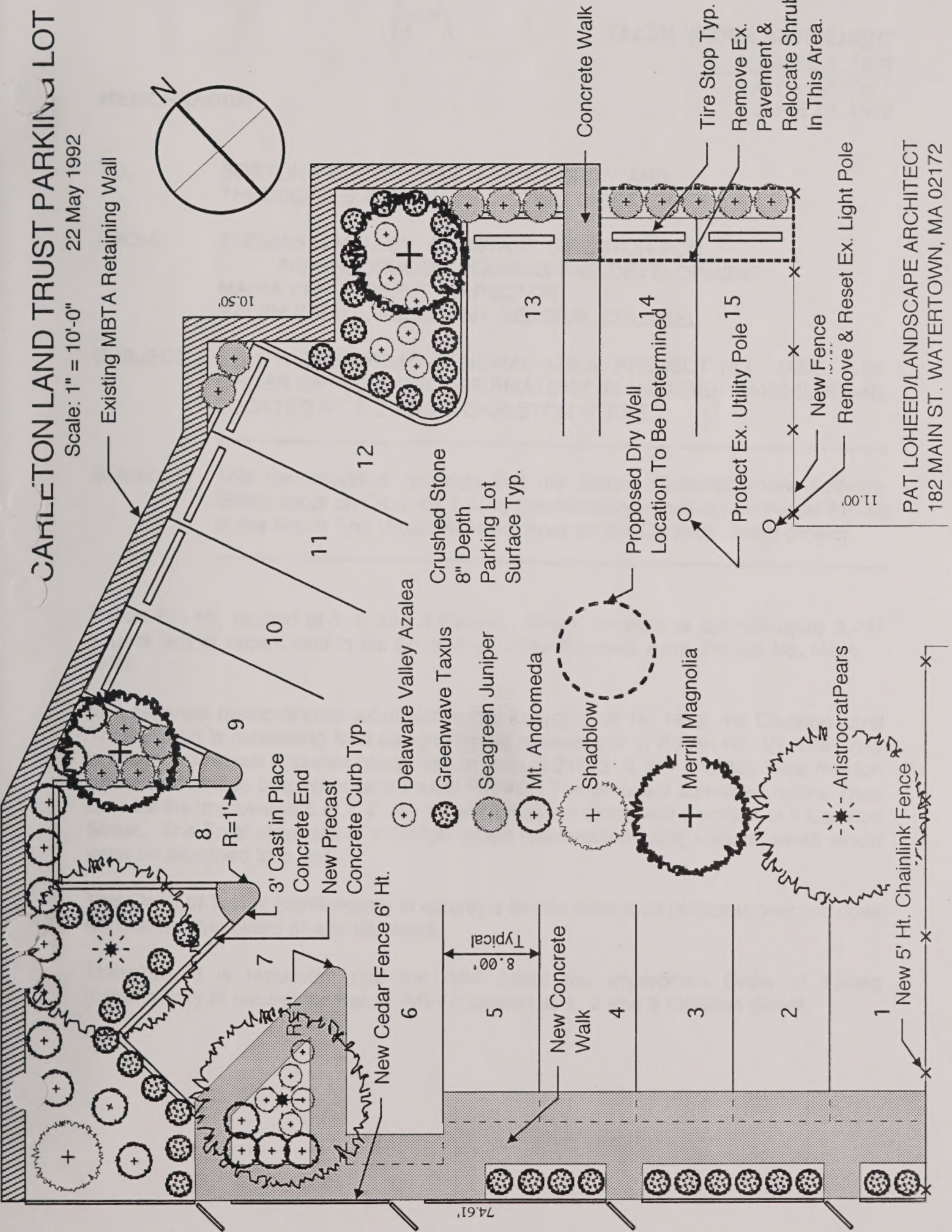
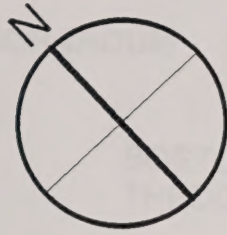
An appropriate vote follows:

VOTED: That the BRA hereby adopts the Resolution of the Boston Redevelopment Authority re: Final Designation of Redeveloper of Parcel RR-4B, located at 1, 2 and 3 Carleton Street in the South End Urban Renewal Area, Project No. Mass. R-56.

CAHLETON LAND TRUST PARKING LOT

Scale: 1" = 10'-0" 22 May 1992

Existing MBTA Retaining Wall



PAT LOHEED/LANDSCAPE ARCHITECT
182 MAIN ST. WATERTOWN, MA 02172

DOC#5499

Voted

TAKEN UNDER ADVISEMENT

JUNE 4, 1992

ADOPTED

JUNE 16, 1992

MEMORANDUM

TO: BOSTON REDEVELOPMENT AUTHORITY AND
THEODORE S. CHANDLER, ACTING DIRECTOR

FROM: THOMAS O'MALLEY, ASSISTANT DIRECTOR FOR
NEIGHBORHOOD HOUSING AND DEVELOPMENT
MARIA FARIA, DEPUTY DIRECTOR
RALPH CAHILL, ASSISTANT GENERAL COUNSEL

SUBJECT: SOUTH END URBAN RENEWAL AREA, PROJECT NO. MASS. R-56:
ORDER OF TAKING (CONFIRMATORY IN NATURE) PARCEL RR-4B,
LOCATED AT 1, 2 AND 3 CARLETON STREET

SUMMARY: This memorandum requests that the Boston Redevelopment Authority (BRA) adopt an Order Of Taking (confirmatory in nature) for Parcel RR-4B of the South End Urban Renewal Area for the Carleton Street project.

Parcel RR-4B, located at 1, 2 and 3 Carleton Street, consists of approximately 3,731 square feet of vacant land in the South End Urban Renewal Area, Project No. Mass. R-56.

In a separate memorandum submitted to this Board, June 16, 1992, the Carleton Land Trust (Trust) is requesting final designation as redeveloper of Parcel RR-4B. The Trust is fifteen individuals who own condominium units at 217, 219, 221 and 223 West Newton Street and whose properties abut Parcel RR-4B. The proposal submitted by the Trust calls for the improvement of 1, 2 and 3 Carleton Street along with a portion of 4 Carleton Street. The Trust proposes to establish fifteen residential parking spaces, which would each be assigned to a unit.

This Order of Taking (confirmatory in nature) is for title perfection purposes only and does not involve the award of any damages.

Therefore, it is requested that the BRA adopt the appropriate Order of Taking (confirmatory in nature) for Parcel RR-4B located at 1, 2 and 3 Carleton Street.

An appropriate vote follows:

VOTED: That the Boston Redevelopment Authority execute an Order of Taking (confirmatory in nature) for Parcel RR-4B located at 1, 2 and 3 Carleton Street in the South End Urban Renewal Area.



Doc. # 5499
ADOPTED
6/16/92

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

RESOLUTION

BE IT RESOLVED by the Boston Redevelopment Authority that an Order of Taking dated JUN. 16 1992 relating to a portion of the SOUTH END URBAN RENEWAL AREA, MASS. R-56, be executed and made a permanent part of these proceedings, a copy of which the Secretary shall cause to be recorded in the office of the Registry of Deeds for the County of Suffolk.

A true copy

CERTIFICATE

I hereby certify that the following names constitute the entire membership of the Boston Redevelopment Authority:

Clarence J. Jones
Michael F. Donlan
Francis X. O'Brien

James K. Flaherty
Consuelo Gonzales Thornell

A true copy

ATTEST:

Kaus Jumanair

Secretary of the Boston Redevelopment Authority

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority, in accordance with G.L. c. 121B and its predecessor Statute G.L. c. 121, adopted and filed in the Suffolk County Registry of Deeds, Book 8056, page 295, and Order of Taking, dated June 30, 1966, concerning and describing the SOUTH END URBAN RENEWAL AREA, all of the findings, determinations and descriptions set forth therein being incorporated herein by reference and made a part hereof;

WHEREAS, the Boston Redevelopment Authority has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by G.L. c. 79, s. 40; and

WHEREAS, the Authority is making this taking, which is confirmatory in nature, solely to cure and hence remove any cloud on the title to the property that may have arisen or if any there be.

NOW, THEREFORE, BE IT ORDERED that the Boston Redevelopment Authority, acting under the provisions of said c. 121B, and all other authority thereunto enabling and pursuant to the applicable provisions of said c. 79, and of any and every power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain, for the purposes hereinbefore set forth or referred to, the area or areas located in the City of Boston as hereinafter described in ANNEX A, together with any and all easements and rights appurtenant hereto, including any trees, buildings and other structures standing upon or affixed thereto and including the fee, if any, in all public streets, highways and public ways in said area or areas or contiguous and adjacent

to the property taken hereby, provided such fee is a part of said property, except any and all easements of travel in and to any and all public streets, highways and public ways in said area or areas or contiguous and adjacent thereto.

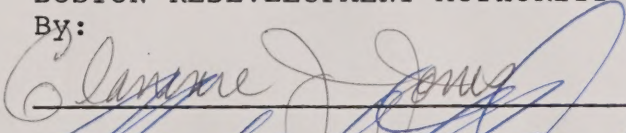
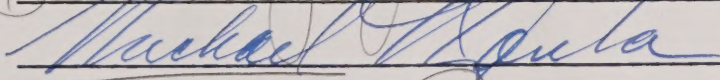
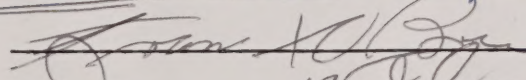
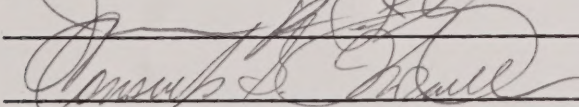
AND FURTHER ORDERED that in accordance with the provision of the said Chapter 79, as amended, awards are made by the Boston Redevelopment Authority for damages sustained by the owner of owners and all other persons, including all mortgagees of record, having any and all interest in the parcel described in ANNEX A and entitled to any damages by reason of the taking hereby made. The Boston Redevelopment Authority reserves the right to amend the award (awarded in ANNEX B) at all times prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown. The awards hereby made are set forth in ANNEX B, which ANNEX B is not to be recorded in the Registry of Deeds with the Order of Taking.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority cause this instrument of Taking to be recorded in the office of the Suffolk County Registry of Deeds.

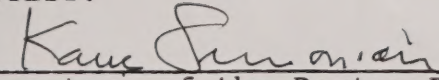
IN WITNESS WHEREOF, we, the following members of the Boston Redevelopment Authority have caused the corporate seal of the Authority to be hereto affixed and these presents to be signed in the name and behalf of the Boston Redevelopment Authority.

DATED: JUN. 16 1992 BOSTON REDEVELOPMENT AUTHORITY

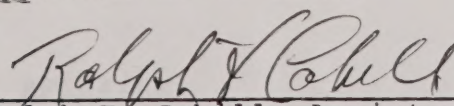
By:

ATTEST:


Secretary of the Boston Redevelopment Authority

Approved as to form:


Ralph F. Cahill, Assistant General Counsel
RFC9/UU

ANNEX A

BOSTON REDEVELOPMENT AUTHORITY

SOUTH END URBAN RENEWAL AREA

TAKING AREA DESCRIPTION

The following parcels of land are the only parcels taken by this Order of Taking

Parcel RR-4B, consisting of three parcels of vacant land, bounded and described as follows:

That certain parcel of vacant land, containing 1,196 square feet and shown as #1 Carlton Street and also shown as SW050A, on a plan entitled, "Massachusetts Bay Transportation Authority, Southwest Corridor Project, Contract No. 065-018, Land Acquisition Plan, City of Boston, Suffolk County, dated March 7, 1980, prepared by Kaiser Engineers, Inc., and Fay, Spofford & Thorndike, Inc., Engineers, Boston, recorded at Suffolk Registry of Deeds, in Book 9614, page 171.

Also those two parcels of vacant land containing 1,179 square feet and 1,356 square feet, shown as a portion of 2 Carlton Street and 3 Carlton Street, respectively, as shown on a Plan entitled, "Massachusetts Bay Transportation Authority, South West Corridor Project, Contract No. 065-018, Land Acquisition Plan, City of Boston, Suffolk County, STA. 2203 to STA. 2206, dated December 30, 1988, prepared by Kaiser Engineers, Inc., and Fay, Spofford & Thorndike, Inc., Engineers, Boston, recorded at Suffolk Registry of Deeds in Book 16843, page 232.

The Supposed Owners of the above parcels is unknown.

ANNEX B

BOSTON REDEVELOPMENT AUTHORITY

SOUTH END URBAN RENEWAL AREA

AWARD OF DAMAGES

No awards are made with this Order of Taking.